

ECF CASE
JUDGE SULLIVAN

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the **May 5, 2007**
DeLaHoya/Mayweather Program,

Plaintiff,
-against-

**AFFIDAVIT IN SUPPORT OF
REQUEST FOR DEFAULT**
Civil Action No. 07-CV-8854-RJS- DCF
HON. RICHARD J. SULLIVAN

VIRGEN Y. PEREZ, Individually, and as officer,
director, shareholder and/or principal of 2151
MORENA RESTAURANT LLC d/b/a MORENA
RESTAURANT,

and

2151 MORENA RESTAURANT LLC d/b/a
MORENA RESTAURANT
Defendants.

STATE OF NEW YORK :
: SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for plaintiff, **J & J SPORTS PRODUCTIONS, INC.**, in the
above referenced matter and I am admitted to practice in this Court. I am fully familiar with all
the facts, circumstances and proceedings heretofore had herein.

2. This action was commenced pursuant to 47 U.S.C. §605, *et seq.* A copy of the
Summons and Complaint was served on Defendant, **VIRGEN Y. PEREZ, Individually, and as
officer, director, shareholder and/or principal of 2151 MORENA RESTAURANT LLC
d/b/a MORENA RESTAURANT** as set forth in the proof of service by William Morrison ECF

document No. 4, and **2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT** as set forth in the proof of service by Jessica Miller ECF Documents No.3

3. The time within which any of the Defendants may answer or otherwise move with respect to the Complaint herein has expired. Defendants **VIRGEN Y. PEREZ, Individually, and as officer, director, shareholder and/or principal of 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT, and 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT**, have not answered or otherwise moved with respect to the Complaint; and the time for the Defendant(s) to do so has not been extended.

4. Said Defendant(s) are not infants or incompetents. Upon information and belief, Defendant(s) are not presently in the military service of the United States.

WHEREFORE, Plaintiff **J & J SPORTS PRODUCTIONS, INC.**, requests that the default of the Defendant(s) **VIRGEN Y. PEREZ, Individually, and as officer, director, shareholder and/or principal of 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT, and 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT**, be noted and that judgment be entered in favor of plaintiff and against defendants in the manner stated herein.

Dated: January 14, 2008
Ellenville, NY 12428

Sworn to before me this 14th
day of November, 2008

/S/ Julie Cohen Lonstein

Julie Cohen Lonstein
Bar Roll No. JL8512

/s/ April Draganchuk
April Draganchuk
Notary Public State of New York
Registration No. 4945872
Residing in Ulster County
My Commission Expires Jan. 27, 2011